

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

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OMAR RUEDA DENVER,

Case No. 3:13-cv-00309-MMD-WGC

Plaintiff,

ORDER

v.

WARDEN LEGRAND, et al.,

Defendants.

This is a counseled habeas petition pursuant to 28 U.S.C. § 2254. On April 30, 2014, the Court granted petitioner Rueda-Denvers' motion for a stay and abeyance and administratively closed this case so that he could exhaust certain grounds in his amended petition. (Dkt. no. 26.)

Petitioner's further state-court proceedings have concluded, and petitioner has now returned to this Court seeking to reopen this case. (Dkt. no. 28.) Petitioner has filed supplemental exhibits in support of the motion to reopen the case and in support of his first amended petition. (Dkt. no. 29.) Petitioner asks that the supplemental exhibits be linked to his first amended petition at dkt. no. 13. Good cause appearing, this action is reopened and the Court now sets a further briefing schedule.

It is therefore ordered that petitioner's motion to reopen case (dkt. no. 28) is granted.

It is further ordered that, as the stay is lifted by this order, the Clerk shall reopen the file in this action.


1 It is further ordered that the supplemental exhibits filed at dkt. no. 29 are
2 accepted as supplemental exhibits to the first amended petition. (Dkt. no. 13.) The Clerk
3 of Court will link the supplemental exhibits (dkt. no. 29) to the first amended petition
4 (dkt. no. 13) on the CM/ECF docket in this action.

5 It is further ordered that respondents will have forty-five (45) days following the
6 date of entry of this order within which to answer, or otherwise respond to, the first
7 amended petition. (Dkt. no. 13.)

8 It is further ordered that petitioner, through counsel, will have forty-five (45) days
9 following service of the response to file and serve an opposition or reply brief. If
10 respondents file a dispositive motion in response to the first amended petition,
11 respondents will then file their reply to the opposition (if any) within thirty (30) days of
12 the service of the opposition.

13 It is further ordered that the parties must send courtesy copies of any further
14 exhibits to the Reno Division of this Court: Clerk of Court, 400 S. Virginia St., Reno,
15 NV, 89501, and directed to the attention of "staff attorney" on the outside of the mailing
16 address label.

17 DATED THIS 9th day of November 2015.

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20 MIRANDA M. DU
21 UNITED STATES DISTRICT JUDGE
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